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JAN 28 2005

PATENT

IBM/168
Confirmation No. 8927**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Timothy Roy Block et al. Art Unit: 2155
Serial No.: 09/694,599 Examiner: Benjamin R. Bruckart
Filed: October 23, 2000 Atty. Docket No.: IBM/168
For: DYNAMIC MODIFICATION OF FRAGMENTATION SIZE CLUSTER
COMMUNICATION PARAMETER IN CLUSTERED COMPUTER
SYSTEM

AMENDMENT AFTER FINAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the final Office Action dated December 6, 2004, please amend the
above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this paper.

Remarks begin on page 10 of this paper.

Page 1 of 11
Serial No. 09/694,599
Amendment After Final dated January 28, 2005
Reply to Final Office Action of December 6, 2004
IBM Docket ROC920000193US1
WH&E IBM/168
K:\bro168\Amendment After Final re 12-6-04 Final OA.wpd

PATENTAtt'y Docket No. IBM/168/124
Confirmation No. 8972**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (14 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Benjamin R. Bruckart, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 703-872-9306 on January 28, 2005.

Judith L. Volk
Judith L. Volk

January 28, 2005
Date

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. ☒ Transmitted herewith is an Amendment After Final.
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ Enclosed is a verified statement to establish Small Entity status
☒ Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

| Fee: | Number of Claims After Amendment: | | Previously Paid For: | No. Extra: | | At Rate: Amount: |
|------------------------------|-----------------------------------|-------|----------------------|------------|-------|------------------|
| Total Claims | 11 | minus | 20 | 0 | \$50 | \$0.00 |
| Independent Claims | 4 | minus | 6 | 0 | \$200 | \$0.00 |
| MULTIPLE DEPENDENT CLAIM FEE | | | | | \$360 | \$0.00 |
| TOTAL FEE FOR CLAIMS: | | | | | | \$0.00 |

- ☒ No additional fee for claims is required.

Page 1 of 2
Serial No. 09/694,599
Transmittal for Amendment of January 28, 2005
IBM Docket: ROC920000193US1
WH&E IBM/168
K:\ibm\168\AAFT\Transmittal re 12-6-04 First OA.wod

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

| | <u>Ext. Mos.</u> | <u>Large entity</u> | <u>Small entity</u> |
|--------------------------|------------------|---------------------|---------------------|
| <input type="checkbox"/> | one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> | two months | \$ 450.00 | \$ 225.00 |
| <input type="checkbox"/> | three months | \$1,020.00 | \$ 510.00 |
| <input type="checkbox"/> | four months | \$1,590.00 | \$ 795.00 |
| <input type="checkbox"/> | five months | \$2,160.00 | \$1,080.00 |

Extension fee due with this request:

\$ _____

Method of Payment:

Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR


- ☒ (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**

6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


 Scott A. Stinebruner
 Reg. No. 38,323

2700 Carew Tower
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 Cincinnati, Ohio 45202-2917
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Enclosed:

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)
 Transmittal containing Certificate of Facsimile Transmission (2 pages)
 Amendment After Final (11 pages)

Page 2 of 2
 Serial No. 09/694,599
 Transmittal for Amendment of January 28, 2005
 IBM Docket: ROC920000193US1
 WH&E IBM/168
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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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January 28, 2005

FACSIMILE COVER SHEET

To: Examiner Benjamin R. Bruckart
Art Unit 2155
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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Fax: 703-872-9306

Enclosures:

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Transmittal containing Certificate of
Facsimile Transmission (2 pages)
Amendment After Final (11 pages)

From: Scott A. Stinebruner
Reg. No. 38,323

Re: U.S. Patent Application
Serial No. 09/694,599
Filed: October 23, 2000
Applicant: Timothy Roy Block et al.
Art Unit: 2155
Confirmation No.: 8927
Our Ref: IBM/168

Pages: 14 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

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Judith L. Volk
Judith L. Volk

January 28, 2005
Date

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